

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-16-T - ORDER NO. 2004-400
AUGUST 25, 2004

IN RE: Application of Thomas W. Bivens d/b/a)	ORDER
Bivens Moving Services, 1808 Biltmore)	GRANTING
Drive, Charleston, SC 29412 for a Class E)	EXTENSION
(HHG) Certificate of Public Convenience and)	
Necessity)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of the Request of Thomas W. Bivens d/b/a Bivens Moving Services (the Applicant or Bivens Moving), whereby the Applicant seeks a sixty (60) day extension of time to comply with the Commission's directives in Order No. 2004-226, dated June 24, 2004, which originally gave the Applicant sixty days to comply with certain Rules and Regulations.

By Commission Order No. 2004-226, Bivens Moving was granted authority to operate under a Class E (HHG) Certificate of Public Convenience and Necessity conditional upon filing of the proper insurance, safety rating, and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers, S.C. Code Ann. Vol. 26 (1976), as amended, and R.38-400 through R. 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, S.C. Code Ann.

Vol. 23A (1976), as amended, within sixty (60) days of the date of Order No. 2004-226, or within such additional time as may be authorized by the Commission.

By request filed August 16, 2004, Bivens Moving requests an extension for a period of sixty (60) days from August 23, 2004, (the date of the sixty (60) day deadline for compliance as set forth in Order No. 2004-226), so that Bivens Moving may come into compliance with the Rules and Regulations of the Commission by allowing the Applicant additional time to prepare for the S.C. Transport Safety inspection. Accordingly, the Applicant seeks an extension until October 23, 2004.

Based upon a consideration of the instant Application and all matters relative thereto, the Commission is of the opinion, and so finds, that the request should be approved.

IT IS THEREFORE ORDERED:

1. That the relief requested by Thomas W. Bivens d/b/a Bivens Moving Services is approved, and Thomas W. Bivens d/b/a Bivens Moving Services is hereby granted an extension for a period of sixty (60) days, until **October 23, 2004**, to come into compliance with the Commission's directive in Order No. 2004-226, dated June 24, 2004.

2. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)